IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

STEVE McCOMB,
 	
              Plaintiff,
 	
    v.
 	
CAROLYN W. COLVIN, in her capacity as Acting Commissioner of the Social Security Administration,
 	
              Defendant.
	ORDER ADOPTING REPORT AND RECOMMENDATION
	
	Case No. 2:13-CV-0053
	
	Judge Robert J. Shelby

This case has been referred to Magistrate Judge Brooke Wells pursuant to 28 U.S.C. § 626(b)(1)(B). Plaintiff Steve McComb applied to the Social Security Administration for Period of Disability, Disability Insurance Benefits, and Supplemental Security Income. The Commissioner of the Social Security Administration denied these applications. Mr. McComb appeals this determination, arguing that the Administrative Law Judge's initial decision was erroneous. 42 U.S.C. § 405(g). He requests the court to reverse the determination, to find him disabled as a matter of law, and to order an award of benefits. (Dkt. 19, p. 6.)

Judge Wells issued a Report & Recommendation on March 9, 2015. (Dkt. 19.) Judge Wells recommended the court affirm the decision of the Commissioner. Neither party submitted an objection to the Report & Recommendation within the allotted time frame.[1] In the absence of an objection to a report and recommendation, the court may apply a "clearly erroneous" standard of review when evaluating a report and recommendation. Under this standard, the court "will

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[1] Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b).

affirm the Magistrate Judge's ruling unless [the court] . . . is left with the definite and firm conviction that a mistake has been committed."[2]

After reviewing the briefing, record, and relevant legal authorities, the court concludes that Judge Wells did not err in her analysis. The court therefore ADOPTS the Recommendation, and **AFFIRMS** the decision of the Commissioner. The Clerk of Court is directed to close the case.

SO ORDERED this 30th day of March, 2015.

BY THE COURT:
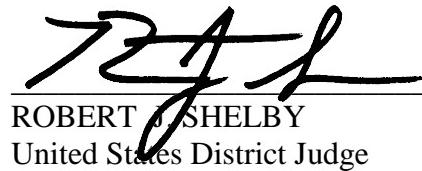
ROBERT J. SHELBY
United States District Judge

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[2] *Thompson v. Astrue*, 2010 WL 1944779, at *1 (D. Utah May 11, 2010) (internal quotation marks and citations omitted).